

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


03970 U.S. PTO
10/660283
09/10/03

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of Geoffrey Ball and Marcus Schmidt for **Implantable Medical Devices With Multiple Transducers**.

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service on this date **September 10, 2003** in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EV 329476823** US addressed to: **Box Patent Application**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Karen B. Webber

1. **Type Of Application**

This new application is for a(n)

☒ Original (nonprovisional)

2. **Benefit Of Prior U.S. Application(s)** (35 U.S.C. §§ 119(e), 120, or 121)

☒ The new application being transmitted claims the benefit of prior U.S. application(s) and enclosed are **ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED**.

3. **Papers Enclosed That Are Required For Filing Date Under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application**

21 Pages of Specification

4 Pages of Claims

1 Page of Abstract

4 Sheets of Informal Drawings

4. **Declaration**

☒ Enclosed (unexecuted)

5. **Inventorship Statement**

The inventorship for all the claims in this application is:

☒ the same

6. **Language**

☒ English

7. **Assignment**

☒ An assignment of the invention to **Vibrant Med-El Hearing Technology GmbH** is attached (unexecuted).

☒ Form PTO-1595 will follow.

8. **Fee Calculation (37 C.F.R. § 1.16)**

☒ Regular application

CLAIMS AS FILED

| Number Filed | Number Extra | Rate | Basic Fee - \$750.00 (37 C.F.R. § 1.16(a)) |
|---|--------------|----------------|---|
| Total Claims (37 C.F.R. § 1.16(c)) | 33 - 20 = | 13 × \$18.00 = | \$234.00 |
| Independent Claims (37 C.F.R. § 1.16(b)) | 2 - 3 = | 0 × \$84.00 = | \$0.00 |
| Multiple Dependent Claim(s), if any (37 C.F.R. § 1.16(d)) | + \$280.00 = | | \$0.00 |

Filing Fee Calculation \$984.00

9. **Small Entity Statement(s)**

☒ Verified Statement(s) that this is a filing by a small entity under 37 C.F.R. §§ 1.9 and 1.27.

Filing Fee Calculation (50% of above) \$492.00

10. **Fee Payment Being Made At This Time**

☒ Enclosed

☒ basic filing fee \$492.00

Total Fees Enclosed \$492.00

11. **Method of Payment of Fees**

☒ Check in the amount of **\$492.00**

12. **Authorization To Charge Additional Fees and Credit Overpayment**

☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No.: **08-1290**. An originally executed duplicate of this transmittal is enclosed for this purpose.

13. **Power of Attorney by Assignee**

☒ Enclosed (unexecuted)

14. **Return Receipt Postcard**

☒ Enclosed

Dated: September 10, 2003



Christine A. Lekutis
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☒ **Incorporation By Reference Of Added Pages**

☒ Plus Added Pages For New Application Transmittal Where Benefit Of Prior U.S. Application(s) Claimed

Number of pages added 1

**ADDED PAGES FOR APPLICATION TRANSMITTAL
WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED**

15. Relate Back 35 U.S.C. § 119(e), 120, 121 and 365(c)

- ☒ Amend the Specification by inserting before the first line the sentence: "The present application claims priority to U.S. Provisional Patent Application Serial No **60/409,394** filed on **September 10, 2002**."

16. Abandonment Of Prior Application (if applicable)

- ☒ Please abandon the prior application at a time while the prior application is pending, and when this application is granted a filing date, so as to make this application copending with said prior application.